UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
ROBINSON, GRETA LEE

ART UNIT	PAPER NUMBER
2168	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/619,654	MCDADE ET AL.
	Examiner	Art Unit	
	Greta L. Robinson	2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 July 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *03 November 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date *7/14/03 & 11/3/03*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-32 are pending in the present application.

2.   A preliminary amendment filed July 14, 2003. Claims 3, 4, 11, 14, 15 and 26

were amended; and new claims 31–32 were added in the preliminary amendment.

Information Disclosure Statement

3.   The information disclosure statement (IDS) submitted on July 14, 2003 and

November 3, 2003 are in compliance with the provisions of 37 CFR 1.97. Accordingly,

the information disclosure statements have been considered by the examiner, note

attached copies of form PTO 1449.

Drawings

4.   The drawings were received on November 3, 2003. These drawings are

acceptable.

Claim Objections

5.   The numbering of claims is not in accordance with 37 CFR 1.126 which requires

the original numbering of the claims to be preserved throughout the prosecution. When

claims are canceled, the remaining claims must not be renumbered. When new claims

are presented, they must be numbered consecutively beginning with the number next

following the highest numbered claims previously presented (whether entered or not).

Misnumbered claim 31 and claim 32 been renumbered 30 and 31.

Double Patenting

6.   The nonstatutory double patenting rejection is based on a judicially created
doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the
unjustified or improper timewise extension of the "right to exclude" granted by a patent
and to prevent possible harassment by multiple assignees.   A nonstatutory
obviousness-type double patenting rejection is appropriate where the conflicting claims
are not identical, but at least one examined application claim is not patentably distinct
from the reference claim(s) because the examined application claim is either anticipated
by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140
F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29
USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir.
1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422
F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163
USPQ 644 (CCPA 1969).
        A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d)
may be used to overcome an actual or provisional rejection based on a nonstatutory
double patenting ground provided the conflicting application or patent either is shown to
be commonly owned with this application, or claims an invention made as a result of
activities undertaken within the scope of a joint research agreement.
        Effective January 1, 1994, a registered attorney or agent of record may sign a
terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with
37 CFR 3.73(b).

7.   Claims 1-32 are rejected on the ground of nonstatutory obviousness-type double

patenting as being unpatentable over claims 1-32 of U.S. Patent No. 6,625,609 B1.

Although the conflicting claims are not identical, they are not patentably distinct from

each other because to broaden the scope of the claims is an obvious variation of the

invention when it essentially performs the same function.

        Regarding claim 1: A method in a computer system for navigating within a body

of data [note: **US Patent 6,625,609 claim 1, lines 1-2**], comprising:

        receiving a navigation request from a first user;

determining that the first user is in a first group of users;

based on determining that the first user is in a first group of users, browsing the body of data in response to input from the first user using a first browse graph [note: US Patent 6,625,609 **claim 1, lines 3-10**];

receiving a navigation request from a second user;

determining that the second user is in a second group of users, browsing the body of data in response to input from the second user using a second browse graph distinct from the first browse graph [note: US Patent 6,625,609 **claim 1, lines 11 and lines 17-20**].

Claim 2: The method of claim 1 wherein the body of data browsed using the first and second browse graphs is a listing of items for sale [**US Patent 6,625,609 claim 2, lines 1-3**].

Claim 3: The method of claim 1 wherein the first browse graph is tailored to the preferences of the first group of users and the second browse graph is tailored to the preferences of the second group of users [**US Patent 6,625,609 claim 3, lines 1-4**].

Claim 4: The method of claim 1 wherein the second browse graph is constructed so as to prevent access to a portion of the body of data that is prohibited with respect to members of the second group of users [**US Patent 6,625,609 claim 4, lines 1-4**].

Claim 5: The method of claim I wherein browsing the body of data in response to input from the first user using a first browse graph involves traversing a

first path of relations in the first browse graph to access a selected subset of the body

of data, and wherein browsing the body of data in response to input from the second

user using a second browse graph involves traversing a second path of relations in

the second browse graph to access the selected subset of the body of data, the first

and second paths to the selected subset of the body of data being different [**US Patent

6,625,609 claim 5, lines 1-11**].

Claim 6: The method of claim 1 wherein browsing the body of data in response to

input from the first user using a first browse graph involves traversing a first path of

relations in the first browse graph to access a selected subset of the body of data,

and wherein the first path of relations is not available in the second browse graph, so

that the selected subset of the body of data cannot be accessed by the second user

[**US Patent 6,625,609 claim 6, lines 1-7**].

Claim 7: The method of claim 1 wherein both the first and second browse graphs are

composed of browse relations, and wherein the second graph includes a browse

relation not included in the first browse graph [**US Patent 6,625,609 claim 7, lines 1-
4**].

Claim 8: (Original) The method of claim 1 wherein the first browse graph is comprised

of a plurality of text segments in a first natural language, and wherein the second

browse graph is comprised of the plurality of text segments in a second natural

language distinct from the first natural language [**US Patent 6,625,609 claim 8, lines
1-5**].

Claim 9: (Original) A computer-readable medium whose contents cause a computer

system to navigate within a body of data by [**US Patent 6,625,609 claim 9, lines 1-2**]:

receiving a navigation request of a first type [**US Patent 6,625,609 claim 9, line 3**];

in response to receiving the navigation request of the first type, browsing the body of data using a first browse graph [**US Patent 6,625,609 claim 9, lines 6-8**];

receiving a navigation request of a second type; and

in response to receiving the navigation request of the second type, browsing the body of data using a second browse graph distinct from the first browse graph [**US Patent 6,625,609 claim 9, lines 15-17**].

Claim 10: The computer-readable medium of claim 9 wherein the first browse graph is tailored to users issuing navigation requests of the first type and the second browse graph is tailored to users issuing navigation requests of the second type [**US Patent 6,625,609 claim 9, lines 18-19**].

Claim 11: The computer-readable medium of claim 9 wherein the second browse graph is constructed so as to prevent access to a subset of the body of data that is prohibited with respect to users issuing navigation requests of the second type [**US Patent 6,625,609 claim 10, lines 1-5**].

Claim 12: The computer-readable medium of claim 9 wherein browsing the body of data using a first browse graph involves traversing a first path of relations in the first browse graph to access a selected subset of the body of data,

and wherein browsing the body of data using a second browse graph involves traversing a second path of relations in the second browse graph to access the selected subset of the body of data, the first and second paths to the selected ... [**US Patent 6,625,609 claim 11**].

Claim 13: The computer-readable medium of claim 9 wherein browsing the body of data using a first browse graph involves traversing a first path of relations in the first browse graph to access a selected subset of the body of data, and wherein the first path of relations is not available in the second browse graph, so that the selected subset of the body of data cannot be accessed by users issuing navigation requests of the second type [**US Patent 6,625,609 claim 12**].

Claim 14: The computer-readable medium of claim 9 wherein both the first <u>browse graph</u> and the second browse graphs are composed of browse relations, and wherein the second browse graph includes a browse relation not included in the first browse relation [**US Patent 6,625,609 claim 13**].

Claim 15: The computer-readable medium of claim 9 wherein the first browse graph is comprised of a plurality of text segments in a first natural language, and wherein the second browse graph is comprised of the plurality of text segments in a second natural language distinct from the first natural language [**US Patent 6,625,609 claim 14**].

Claim 16: A method in a computer system for navigating within a body of data using one of a plurality of distinct browse graphs, comprising [**US Patent 6,625,609 claim 15, lines 1-3**]:

      receiving a navigation request [**US Patent 6,625,609 claim 15, line 4**];

      based upon information contained in the received navigation request,

            selecting one of the plurality of browse graphs [**US Patent 6,625,609 claim 15, lines 7-8**]; and

in response to user input received subsequent to the receipt of the navigation request,

      browsing the body of data using the selected browse graph [**US Patent 6,625,609 claim 15, lines 11-14**].

Claim 17: The method of claim 1 6 wherein the plurality of distinct browse graphs include a first browse graph and a second browse graph, and wherein the body of data contains a selected portion, and wherein the user input sequence required to browse to the selected portion using the first browse graph is different than the user input sequence required to browse to the selected portion using the second browse graph [**US Patent 6,625,609 claim 16**].

Claim 1 8: T he m ethod o f c laim 16 w herein t he p lurality o f d istinct b rowse g raphs include a first browse graph and a second browse graph, and wherein the body of data contains a selected portion, and wherein the first browse graph can be used to browse to the selected portion and the second browse graph cannot be used to browse to the selected portion [**US Patent 6,625,609 claim 17**].

Claim 1 9: T he m ethod o f c laim 16 w herein t he p lurality o f d istinct b rowse g raphs include a first browse graph and a second browse graph, and wherein the first browse graph is comprised of a plurality of text segments in a first natural language, and wherein the second browse graph is comprised of the plurality of text segments in a second natural language distinct from the first natural language [**US Patent 6,625,609 claim 18**].

Claim 20: A computer-readable medium whose contents cause a computer system to navigate within a body of data using one of a plurality of distinct browse graphs by **US Patent 6,625,609 claim 19, lines 1-3**]:

    receiving a navigation request;

    based upon information contained in the received navigation request,

        selecting one of the plurality of browse graphs; and

    in response to user input, browsing the body of data using the selected

        browse graph [**US Patent 6,625,609 claim 19, lines 4-17**].

Claim 21: The computer-readable medium of claim 20 wherein the plurality of distinct browse graphs include a first browse graph and a second browse graph, and wherein the body of data contains a selected portion, and wherein the user input sequence required to browse to the selected portion using the first browse graph is different than the user input sequence required to browse to the selected portion using the second browse graph [**US Patent 6,625,609 claim 19, lines 9-11**].

Claim 22: The computer-readable medium of claim 20 wherein the plurality of distinct browse graphs include a first browse graph and a second browse graph, and wherein the body of data contains a selected portion, and wherein the first browse graph can be used to browse to the selected portion and the second browse graph cannot be used to browse to the selected portion [**US Patent 6,625,609 claim 19, lines 13-17**].

Claim 23: The computer-readable medium of claim 20 wherein the plurality of distinct browse graphs include a first browse graph and a second browse graph, and wherein the first browse graph is comprised of a plurality of text segments in a first natural language, and wherein the second browse graph is comprised of the plurality of text segments in a second natural language distinct from the first natural language [**US Patent 6,625,609 claim 20, lines 9-17**].

Claim 24: A method in a computer system for browsing data, the method comprising [**US Patent 6,625,609 claim 21, lines 1-2**]:

> while browsing the data in a first browse mode, receiving a first set of navigation
>> commands;
> in response to receiving the first set of navigation commands in the first
>> browse mode, browsing to an identified portion of the data;
> receiving a command to store an item in the browsed-to identified portion of
>> data;

in response to receiving a command to store an identified item in the browsed-to
identified portion of data, storing the identified item in the browsed-to
identified portion of data;

while browsing the data in a second browse mode, receiving a second set of
navigation commands distinct from the first set of navigation commands ;

in response to receiving the second set of navigation commands in the second

browse mode, browsing to the identified portion of the data; and displaying the

identified portion of the data, including the stored identified item [**US Patent
6,625,609 claim 21, lines 3-24**].

Claim 25: The method of claim 24 wherein the storing stores a selected indication of an
item for sale, and wherein the displaying displays indications of items for sale, including
the selected indication [**US Patent 6,625,609 claim 22**].

Claim 26: A computer memory containing a compound browsing data structure
comprising [**US Patent 6,625,609 claim 23, lines 1-2**]:

a plurality of browse graphs, each browse graph comprising a plurality of relations
used to access a body of subject data,

such that the subject data may be accessed using any one of the plurality of
browse graphs [**US Patent 6,625,609 claim 23, lines 3-13**].

Claim 27: The computer memory of claim 26 wherein the compound browsing data
structure further comprises a plurality of data portions collectively constituting the subject
data, and wherein each of the browse graphs specify a location in the browse graph for
each of the plurality of data portions [**US Patent 6,625,609 claim 23, lines 12-13**]

Claim 28: The computer memory of claim 27 wherein at least two of the browse graphs specify different locations for a selected one of the data portions [see: **US Patent 6,625,609 claim 24, lines 8-11**]

Claim 29: A computer system for browsing a body of data, comprising: a receiver that receives a navigation request;

> a browse graph store that contains a plurality of distinct browse graphs; and
> a data browser that uses one of the plurality of distinct browse graphs selected
> > based upon information contained in the navigation request received by
> > the receiver to browse the body of data [see: **US Patent 6,625,609 claim 29**].

Claim 30: A method in a computer system for navigating within a body of

data using one of multiple distinct navigational paths, the method comprising: associating
> each one of the multiple distinct navigational paths with at least one

> > category of user;

receiving a request from a user to browse the body of data, wherein the request includes information used to select a category for the user;

> determining a category for the user based, at least in part, on the information in,
> > the received request:

> identifying a navigational path associated with the determined category; and
> > allowing the user to browse the body of data using the identified navigational
> > path_[see: **US Patent 6,625,609 claim 30**].

Claim 31: The method of claim 1 wherein the determining that the first user is in a first group of users is based, at least in part, on the buyinq preferences of the first user and the determining that the second user is in a second group of users is based, at

least ... [note: **US Patent 6,625,609 claim 31** (i.e. characteristic of the user is

equivalent to buying preferences)].

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7.   Claims 16, 20 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated

by Mangat et al. US Patent 6,081,814. [Note Mangat et al. is cited on form PTO 1449]

Regarding claims 16, 20, and 29, Mangat et al. teaches a computer system for

navigating within a body of data using one of a plurality of distinct browse graphs [note:

col. 25 lines 10-19 Mangat et al. teaches multiple special purpose browsers 98 that are

contingent on access rights of the user]. Mangat et al. provides for receiving a

navigational request [note: navigational module (116) Figure 3]; and based upon

information contained in the received navigational request, selecting one of the plurality

of browse graphs [note: creating a reference environment 100 may include presenting

options for definitions 92, for example a type of reference may relate to access function

col. 26 lines 57-65; col. 25 lines 20-49]. Mangat et al. provides for in response to user

input received subsequent to the receipt of the navigation request, browsing the body of

data using the selected browse graph [col. 10 lines 25-63; col. 22 lines 44-55 ; also see

Figure 3 and Figure 9].

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bollay US Patent 6,457,009 B1

Schnase et al. US Patent 6,078,928

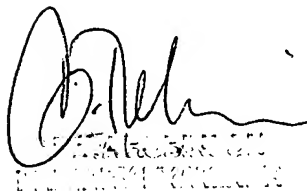Elfiore et al. US Patent 6,009,459

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greta L. Robinson whose telephone number is (571)272-4118. The examiner can normally be reached on M-F 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim T Vo can be reached on (571)272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Greta Robinson
Primary Examiner
March 2, 2006